

109TH CONGRESS
2D SESSION

S. 4032

To discourage international assistance to the nuclear program of Iran and transfers to Iran of advanced conventional weapons and missiles.

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 29, 2006

Mr. COLEMAN (for himself and Mr. NELSON of Florida) introduced the following bill; which was read twice and referred to the Committee on Foreign Relations

A BILL

To discourage international assistance to the nuclear program of Iran and transfers to Iran of advanced conventional weapons and missiles.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Iran Nuclear Non-
5 proliferation Act of 2006”.

6 **SEC. 2. STATEMENT OF POLICY.**

7 It should be the policy of the United States to neither
8 negotiate nor seek to bring into force an agreement for
9 cooperation with the government of any country that is

1 assisting the nuclear program of Iran or transferring ad-
2 vanced conventional weapons or missiles to Iran unless the
3 President has made—

4 (1) the determination set forth in section
5 3(a)(1) with respect to Iran; or

6 (2) the determination set forth in section
7 3(a)(2) with respect to the government of that coun-
8 try.

9 **SEC. 3. RESTRICTIONS ON NUCLEAR COOPERATION WITH**
10 **COUNTRIES ASSISTING THE NUCLEAR PRO-**
11 **GRAM OF IRAN.**

12 (a) IN GENERAL.—Notwithstanding any other provi-
13 sion of law or any international agreement, no agreement
14 for cooperation between the United States and the govern-
15 ment of any country that is assisting the nuclear program
16 of Iran or transferring advanced conventional weapons or
17 missiles to Iran may be submitted to the President or to
18 Congress pursuant to section 123 of the Atomic Energy
19 Act of 1954 (42 U.S.C. 2153), no such agreement may
20 enter into force with such country, no license may be
21 issued for export directly or indirectly to such country of
22 any nuclear material, facilities, components, or other
23 goods, services, or technology that would be subject to
24 such agreement, and no approval may be given for the
25 transfer or retransfer directly or indirectly to such country

1 of any nuclear material, facilities, components, or other
2 goods, services, or technology that would be subject to
3 such agreement, until the President determines and re-
4 ports to the Committee on Foreign Relations of the Senate
5 and the Committee on International Relations of the
6 House of Representatives that—

7 (1) Iran has suspended all enrichment-related
8 and reprocessing-related activity (including uranium
9 conversion, and research and development, manufac-
10 turing, testing, and assembly relating to enrichment
11 and reprocessing), has committed to verifiably re-
12 frain permanently from such activity in the future
13 (except potentially the conversion of uranium exclu-
14 sively for export to foreign nuclear fuel production
15 facilities pursuant to internationally agreed arrange-
16 ments and subject to strict international safe-
17 guards), and is abiding by that commitment; or

18 (2) the government of the country that is as-
19 sisting the nuclear program of Iran or transferring
20 advanced conventional weapons or missiles to Iran—

21 (A) has, either on its own initiative or pur-
22 suant to a binding decision of the United Na-
23 tions Security Council, suspended all nuclear
24 assistance to Iran and all transfers of advanced
25 conventional weapons and missiles to Iran

pending a decision by Iran to implement measures that would permit the President to make the determination described in paragraph (1); and

(B) is committed to maintaining that suspension until Iran has implemented measures that would permit the President to make such determination.

(b) CONSTRUCTION.—The restrictions in subsection (a)—

(1) shall apply in addition to all other applicable procedures, requirements, and restrictions contained in the Atomic Energy Act of 1954 and other laws; and

(2) shall not be construed as affecting the validity of agreements for cooperation that are in effect on the date of the enactment of this Act.

SEC. 4. DEFINITIONS.

In this Act:

(1) AGREEMENT FOR COOPERATION.—The term “agreement for cooperation” has the meaning given that term in section 11 b. of the Atomic Energy Act of 1954 (42 U.S.C. 2014(b)).

(2) ASSISTING THE NUCLEAR PROGRAM OF IRAN.—The term “assisting the nuclear program of

1 Iran” means the intentional transfer to Iran by a
2 government, or by a person subject to the jurisdic-
3 tion of a government with the knowledge and acqui-
4 escence of that government, of goods, services, or
5 technology listed on the Nuclear Suppliers Group
6 Guidelines for the Export of Nuclear Material,
7 Equipment and Technology (published by the Inter-
8 national Atomic Energy Agency as Information Cir-
9 cular INFCIRC/254/Rev. 3/Part 1, and subsequent
10 revisions) or Guidelines for Transfers of Nuclear-Re-
11 lated Dual-Use Equipment, Material, and Related
12 Technology (published by the International Atomic
13 Energy Agency as Information Circular INFCIR/
14 254/Rev. 3/Part 2, and subsequent revisions).

15 (3) COUNTRY THAT IS ASSISTING THE NU-
16 CLEAR PROGRAM OF IRAN OR TRANSFERRING AD-
17 VANCED CONVENTIONAL WEAPONS OR MISSILES TO
18 IRAN.—The term “country that is assisting the nu-
19 clear program of Iran or transferring advanced con-
20 ventional weapons or missiles to Iran” means—

21 (A) Russia; and

22 (B) any other country determined by the
23 President to be assisting the nuclear program
24 of Iran or transferring advanced conventional
25 weapons or missiles to Iran.

1 (4) TRANSFERRING ADVANCED CONVENTIONAL
2 WEAPONS OR MISSILES TO IRAN.—The term “trans-
3 ferring advanced conventional weapons or missiles to
4 Iran” means the intentional transfer to Iran by a
5 government, or by a person subject to the jurisdic-
6 tion of a government with the knowledge and acqui-
7 escence of that government, of goods, services, or
8 technology listed on—

9 (A) the Wassenaar Arrangement list of
10 Dual Use Goods and Technologies and Muni-
11 tions list of July 12, 1996, and subsequent revi-
12 sions; or

13 (B) the Missile Technology Control Regime
14 Equipment and Technology Annex of June 11,
15 1996, and subsequent revisions.

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